

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Edward Buttrey, on April 8, 2015 at 9:00 A.M., in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Edward Buttrey, Chair (R)
Sen. Elsie Arntzen, Vice Chair (R)
Sen. Dee Brown (R)
Sen. Tom Facey (D) (arrived after roll call)
Sen. Gordon Vance (R)
Sen. Gene Vuckovich (D)
Sen. Lea Whitford (D)

Members Excused: Sen. Pat Connell (R)
Sen. Cary Smith (R)
Sen. Sharon Stewart-Peregoy (D)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Jameson Walker, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 506, 4/1/2015; HB 577, 4/1/2015; HB 618, 4/7/2015
Executive Action: HB 78, HB 515, HB 546, HB 560, HB 506, HB 577, HB 618,
HB 223

EXECUTIVE ACTION ON HB 78

00:01:49 **Motion:** Sen. Arntzen moved that **HB 78 BE CONCURRED IN.**

00:01:55 Chairman Buttrey
EXHIBIT(bus70a01)

00:02:04 **Motion:** Sen. Facey moved that **HB 78 BE AMENDED.**

Discussion:

00:02:57 Chairman Buttrey
00:03:03 Sen. Brown
00:03:31 Sen. Facey
00:04:18 Chairman Buttrey
00:04:45 Sen. Brown
00:05:42 Chairman Buttrey

00:05:49 **Vote:** Motion failed 1-9 by voice vote with Sen. Facey voting aye. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy voted by proxy.

00:06:00 Chairman Buttrey
EXHIBIT(bus70a02)

00:06:30 **Motion:** Sen. Arntzen moved that **HB 78 BE AMENDED.**

Discussion:

00:07:22 Jameson Walker, Legislative Services Division (LSD)
00:08:10 Chairman Buttrey
00:08:21 Sen. Brown
00:08:31 Chairman Buttrey

00:08:43 **Vote:** Motion carried 7-0 by voice vote. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy were excused.

00:08:55 **Motion/Vote:** Sen. Arntzen moved that **HB 78 BE CONCURRED IN AS AMENDED.** Motion carried 9-1 by voice vote with Sen. D. Brown voting no. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy voted by proxy. Sen. Facey will carry the bill.

EXECUTIVE ACTION ON HB 515

00:09:32 **Motion:** Sen. Arntzen moved that **HB 515 BE CONCURRED IN.**

Discussion:

00:09:42 Chairman Buttrey
00:10:06 Sen. Facey
00:11:09 Sen. Brown

00:11:39 Chairman Buttrey
00:12:29 Sen. Vuckovich
00:12:32 Sen. Brown
00:12:46 Chairman Buttrey
00:13:19 Sen. Facey
00:14:05 Sen. Whitford
00:15:27 Sen. Vuckovich
00:16:16 Sen. Whitford
00:16:52 Sen. Brown

00:17:04 **Vote:** Motion failed 4-5 by roll call vote with Sen. D. Brown, Sen. Buttrey, Sen. Connell and Sen. Vance voting aye. Sen. Connell and Sen. Stewart-Peregoy voted by proxy. Sen. Smith was excused.

00:17:55 **Motion/Vote:** Sen. Arntzen moved that **HB 515 BE TABLED**. Motion carried 7-0 by voice vote of those present and voting. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy were excused.

EXECUTIVE ACTION ON HB 546

00:18:14 **Motion:** Sen. Arntzen moved that **HB 546 BE CONCURRED IN**.

Discussion:

00:18:43 Chairman Buttrey
00:18:54 Sen. Brown
00:19:32 Sen. Facey
00:19:36 Chairman Buttrey
00:19:40 Sen. Brown

00:19:42 **Vote:** Motion carried 7-3 by voice vote with Sen. Buttrey, Sen. Facey and Sen. C. Smith voting no. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy voted by proxy. Sen. Brown will carry the bill

EXECUTIVE ACTION ON HB 560

00:21:02 **Motion:** Sen. Arntzen moved that **HB 560 BE CONCURRED IN**.

00:21:22 Chairman Buttrey
[**EXHIBIT\(bus70a03\)**](#)

00:21:28 **Motion:** Sen. D. Brown moved that **HB 560 BE AMENDED**.

Discussion:

00:22:02 Chairman Buttrey
00:22:09 Sen. Vuckovich
00:22:13 Sen. Facey

00:22:27 **Vote:** Motion carried 7-0 by voice vote of those present and voting. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy were excused.

00:22:41 **Motion:** Sen. D. Brown moved that **HB 560 BE AMENDED.**
EXHIBIT(bus70a04)

Discussion:

00:23:16 Sen. Brown
00:23:34 Chairman Buttrey
00:23:36 Jameson Walker, Legislative Services Division (LSD)
00:24:24 Chairman Buttrey

00:24:29 **Vote:** Motion carried 7-0 by voice vote of those present and voting. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy were excused.

00:24:42 **Motion:** Sen. Facey moved that **HB 560 BE CONCURRED IN AS AMENDED.**

00:24:51 Sen. Facey

00:25:39 **Vote:** Motion carried 7-0 by voice vote of those present and voting. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy were excused. Sen. Facey will carry the bill.

Committee Business:

00:25:52 Chairman Buttrey
00:26:26 Sen. Facey
00:26:35 Chairman Buttrey
00:26:42 Sen. Whitford
00:26:48 Chairman Buttrey

00:27:19 Recess
00:54:50 Reconvene

00:55:09 Sen. Arntzen
Sen. Buttrey did not return to the hearing. Sen. Arntzen took over as chair.

HEARING ON HB 506

Opening Statement by Sponsor:

00:55:42 Rep. David (Doc) Moore (R), HD 92, opened the hearing on HB 506. Allowing micro distilleries to deliver products directly to agency liquor stores.

Proponents' Testimony:

00:58:11 Jennifer Hensley, Montana Distillers Guild (MDG)

[EXHIBIT\(bus70a05\)](#)

[EXHIBIT\(bus70a06\)](#)

01:04:09 Karen Powell, owner, Triple Divide Spirits

Opponents' Testimony: None

Informational Testimony:

01:06:31 Steve Swanson, Department of Revenue (DOR)

Questions from Committee Members and Responses:

01:06:52 Sen. Brown
01:07:19 Mr. Swanson, DOR
01:07:54 Sen. Facey
01:08:49 Mr. Swanson
01:09:17 Chair Arntzen
01:09:28 Mr. Swanson
01:09:49 Sen. Whitford
01:10:50 Mr. Swanson
01:10:57 Sen. Brown
01:11:24 Ms. Hensley, MDG

Closing by Sponsor:

01:12:54 Rep. Moore

HEARING ON HB 577

Opening Statement by Sponsor:

01:14:06 Rep. Kenneth Holmlund (R), HD 38, opened the hearing on HB 577. Revising what is an illegal gambling activity for horse and dog racing.

Proponents' Testimony:

01:17:13 Rick Ask, Department of Justice (DOJ)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:18:29 Sen. Brown
01:19:20 Mr. Ask, DOJ

01:19:32 Sen. Vuckovich
01:19:39 Mr. Ask
01:20:27 Sen. Brown
01:20:31 Sen. Facey
01:20:40 Mr. Ask
01:20:45 Sen. Whitford
01:20:54 Mr. Ask
01:21:28 Chair Arntzen
01:21:33 Mr. Ask
01:22:01 Sen. Brown
01:22:11 Mr. Ask

Closing by Sponsor:

01:22:21 Rep. Holmlund

HEARING ON HB 618

Opening Statement by Sponsor:

01:23:09 Rep. Christopher Pope (D), HD 65, opened the hearing on HB 618. Interim study to reform state liquor licensing laws.

Proponents' Testimony:

01:27:23 Brad Griffin, Montana Restaurant Association
01:30:20 Tony Herbert, Montana Brewers Association (MBA)

EXHIBIT(bus70a07)

01:33:14 Steve Snezek, Montana Beer and Wine Distributors Association
01:33:40 Ronda Wiggers, Montana Coin Machine Operators
01:34:57 Neil Peterson, Gaming Industry Association (GIA)
01:35:19 Mr. Herbert asked to include Jennifer Hensley, Montana Distillers Guild as a proponent.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:35:52 Sen. Brown
01:37:52 Mr. Herbert, MBA
01:38:56 Sen. Facey
01:39:01 Mr. Herbert (redirect)
01:40:06 Mr. Peterson, GIA
01:40:47 Sen. Facey
01:40:54 Rick Ask, Department of Justice (DOJ)
01:41:19 Sen. Facey
01:41:22 Rep. Pope

01:41:59 Sen. Vuckovich
01:42:34 Mr. Herbert
01:43:34 Chair Arntzen
01:44:01 Mr. Ask, DOJ

Closing by Sponsor:

01:44:24 Rep. Pope

01:47:26 Chair Arntzen

01:48:58 Recess
02:27:39 Reconvene
Sen. Buttrey returned to the hearing and took over as chair.

02:27:43 Chairman Buttrey

EXECUTIVE ACTION ON HB 223

02:28:12 **Motion:** Sen. Arntzen moved that **HB 223 BE CONCURRED IN.**

02:28:22 Chairman Buttrey
[EXHIBIT\(bus70a08\)](#)

02:28:48 **Motion:** Sen. Facey moved that **HB 223 BE AMENDED.**

Discussion:

02:29:00 Sen. Facey
02:29:24 Chairman Buttrey

02:29:34 **Vote:** Motion carried 7-0 by voice vote of those present and voting. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy were excused.

02:29:44 **Motion:** Sen. Facey moved that **HB 223 BE AMENDED.**
[EXHIBIT\(bus70a09\)](#)

Discussion:

02:29:58 Sen. Facey
02:30:40 Chairman Buttrey
02:30:44 Jameson Walker, Legislative Services Division (LSD)
02:31:26 Sen. Arntzen
02:31:34 Sen. Facey

02:31:56 **Vote:** Motion carried 7-0 by voice vote of those present and voting. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy were excused.

02:32:07 **Motion:** Sen. Facey moved that **HB 223 BE AMENDED.**
[EXHIBIT\(bus70a10\)](#)

02:32:42 **Vote:** Motion carried 9-1 by voice vote with Sen. Vuckovich voting no. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy voted by proxy.

02:33:48 **Motion/Vote:** Sen. Facey moved that **HB 223 BE AMENDED**. Motion carried 7-0 by voice vote of those present and voting. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy were excused.

EXHIBIT(bus70a11)

02:33:58 **Motion:** Sen. Arntzen moved that **HB 223 BE CONCURRED IN AS AMENDED**.

Discussion:

02:34:31 Sen. Brown
02:34:49 Sen. Whitford
02:35:29 Sen. Arntzen
02:36:26 Sen. Vuckovich
02:37:36 Sen. Arntzen

02:38:07 **Vote:** Motion failed 4-6 by roll call vote with Sen. Arntzen, Sen. Buttrey, Sen. Connell and Sen. Facey voting aye. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy voted by proxy.

02:39:13 **Motion/Vote:** Sen. D. Brown moved that **HB 223 BE TABLED**. Motion carried 6-1 by voice vote with Sen. Arntzen voting no. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy were excused.

EXECUTIVE ACTION ON HB 506

02:39:39 **Motion:** Sen. Arntzen moved that **HB 506 BE CONCURRED IN**.

Discussion:

02:40:13 Chairman Buttrey
02:40:23 Sen. Brown

02:41:03 **Vote:** Motion carried 9-1 by voice vote with Sen. C. Smith voting no. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy voted by proxy. Sen. Facey will carry the bill.

EXECUTIVE ACTION ON HB 577

02:41:28 **Motion:** Sen. Arntzen moved that **HB 577 BE CONCURRED IN**.

Discussion:

02:41:46 Sen. Facey
02:42:38 Sen. Brown
02:42:41 Sen. Facey
02:42:46 Sen. Arntzen
02:43:11 Sen. Brown

02:43:29 **Vote:** Motion carried 7-0 by voice vote of those present and voting. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy were excused. Sen. Larsen will carry the bill.

EXECUTIVE ACTION ON HB 618

02:43:42 **Motion:** Sen. Arntzen moved that **HB 618 BE CONCURRED IN.**

Discussion:

02:43:59 Sen. Facey
02:44:50 Chairman Buttrey
02:45:02 Sen. Facey
02:45:05 Sen. Vance
02:45:29 Sen. Brown
02:46:16 Sen. Whitford
02:48:03 Sen. Arntzen

02:49:42 **Vote:** Motion failed 5-5 by roll call vote with Sen. Arntzen, Sen. Facey, Sen. Stewart-Peregoy, Sen. Vuckovich and Sen. Whitford voting aye. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy voted by proxy.

02:50:38 **Motion/Vote:** Sen. Facey moved that **HB 618 BE TABLED.** Motion carried 7-0 by voice vote. Sen. Connell, Sen. Smith and Sen. Stewart-Peregoy were excused.

02:50:55 Chairman Buttrey

ADJOURNMENT

Adjournment: 11:57 AM

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus70aad.pdf](#))